

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NOE HERNANDEZ-AVILES,

Petitioner,

20 **CIVIL** 7636 (ER)

-against-

JUDGMENT

THOMAS DECKER, *in his official capacity as Field
Office Director, New York City Field Office, U.S.
Immigration & Customs Enforcement*; CHAD WOLF,
*in his official capacity as Acting Secretary, U.S.
Department of Homeland Security*; and WILLIAM P.
BARR, *in his official capacity as Attorney General,
U.S. Department of Justice*,

Respondents.

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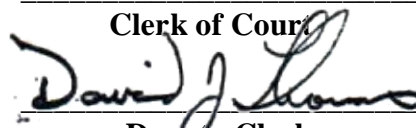
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 1, 2020, Hernandez's petition is granted; within seven days of the date of the Opinion and Order, the Government must provide Hernandez with a bond hearing before an immigration judge at which the Government bears the burden of establishing, by clear and convincing evidence, that he poses a danger to the community or a flight risk. At this hearing, the immigration judge must consider alternative conditions of release and Hernandez's ability to pay with respect to both dangerousness and risk of flight. Should the Government fail to provide Hernandez with such a bond hearing within seven days, it must immediately release him.

DATED: New York, New York
October 1, 2020

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk